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Chairman: Mr. Busacca ..... (Italy)
later: Mr. Wissa (Vice-Chairman) ..... (Egypt)

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The meeting was called to order at 10.15 a.m.

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(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action (*continued*) (A/52/36 and A/52/182)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/52/36 and A/52/182)

1. **Mr. Konishi** (Japan) said that respect for human rights was a concept that should be an integral part of the economic, social, cultural and political life of all countries. On that basis, the Japanese Government had established a national headquarters to promote the United Nations Decade for Human Rights Education and had announced its own national plan of action for the Decade. That plan, which had been formulated after a thorough study of the Plan of Action for the Decade (A/49/261-E/1994/110/Add.1), paid particular attention to the rights of vulnerable groups, such as women, children, elderly and disabled people, HIV carriers, non-Japanese residents and ex-prisoners.

2. The International Covenant on Civil and Political Rights, together with the International Covenant on Economic, Social and Cultural Rights, were extremely important instruments, and his delegation welcomed the fact that China had recently signed the latter instrument. The human rights situation in a number of countries, such as Afghanistan, Burundi, Cambodia, the Democratic Republic of the Congo, Cuba, the Islamic Republic of Iran, Iraq, Myanmar, Nigeria, Rwanda, the Sudan and the former Yugoslavia, was admittedly a matter of concern, but it was nevertheless necessary to appreciate the situation in each country and to bear in mind any improvements. Accusations alone would sabotage constructive dialogue between the international community and the countries concerned.

3. Budgetary constraints ruled out the possibility of increasing the number of United Nations entities and activities in the field of human rights. The Commission on Human Rights should therefore look to rationalize its work and manage the time and resources at its disposal better.

4. As part of its support for United Nations activities in the field of human rights, the Japanese Government, together with the United Nations University, planned to host a Third Symposium on Human Rights in the Asia-Pacific Region in January 1998. In addition, Japan had just completed fruitful discussions with China on fundamental rights, and was helping developing countries to achieve democracy, for example by improving their legislation and judicial systems and organizing elections.

5. **Ms. Russell** (Barbados), speaking also on behalf of the 13 other member States of the Caribbean Community and Common Market (CARICOM), said that her delegation was pleased that the High Commissioner for Human Rights planned to approach human rights from the bottom up in a way that took account of the most vulnerable and disadvantaged individuals and groups in society.

6. The right to development was a basic right. Her delegation therefore welcomed the fact that the Commission on Human Rights had reaffirmed its importance for all people individually and collectively, bearing in mind that the Declaration on the Right to Development (General Assembly resolution 41/128) constituted an integral link between the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action through the association of economic, social and cultural rights with civil and political rights (resolution 1997/72) while at the same time recognizing the potential problems facing developing countries in their efforts to achieve economic, social and cultural progress (resolution 1997/17).

7. It was also encouraging that countries were continuing to receive assistance to put in place all the national institutions necessary to ensure respect for basic rights. Even though many countries had laws in place to protect those

rights and despite the effective enforcement of those laws, abuses could still occur. People should therefore be educated in two ways: on the one hand, individuals themselves should be informed of their rights and the mechanisms which were available to enforce those rights; on the other hand, society in general should teach respect for the values underpinning those rights, thereby contributing to the establishment of free, just and peaceful societies.

8. The human rights situation in Haiti had already improved with the help of the United Nations, which, among other things, was carrying out monitoring functions, training the national police force, helping the country to strengthen its national capacities, particularly in prisons and the judicial field, revise criminal legislation and raise general public awareness.

9. Violence against women was increasing, thereby violating their inherent fundamental rights which should be unequivocally recognized as being equivalent to other universal human rights. The CARICOM States were working to eliminate all forms of discrimination against women from society; in some CARICOM States acts of violence against women had now been made a crime under the law.

10. The rights of the child were currently recognized and enshrined in a Convention which nearly all States had ratified; they were vigorously defended by the United Nations Children's Fund and had been included as a separate subject in the final declaration of the Vienna Conference. Nevertheless, in practice children were still poorly protected and were often the victims of disgraceful abuses – recruited at a very young age to fight in wars, used as commodities in the international sex trade, and forced to do hazardous and exploitative work. Such abuses posed a tremendous problem for civilization. Although the deplorable situation was largely attributable to economic conditions, poverty was not the only reason, let alone a justification. It was an issue of human dignity which States needed to address separately and through concerted action, thereby making best use of the influence which the international community could exert in its entirety. A State which signed a treaty protecting basic rights, either those of adults or of children, could not subsequently distance itself from the principles to which it had subscribed. The States parties to the Convention on the Rights of the Child had felt the need to enlarge the Committee on the Rights of the Child. But the Committee also needed to gain greater exposure, for example by holding meetings in different regions.

11. The CARICOM countries agreed that it was not enough to set up ad hoc tribunals to judge abuses committed during an armed conflict and that the establishment of an international criminal court was imperative.

12. The work of the United Nations in providing technical assistance and advisory services to Governments upon request and promoting democracy and development and human rights, *inter alia*, by providing training for the police and improving the administration of justice was highly useful. It was therefore discouraging to hear that the Office of the High Commissioner for Human Rights was unable to respond to all such requests because it lacked the financial means. It would be a good idea to expand the donor base of the Fund, especially since some donors had been accused of bias.

13. In a world where over 1 billion people lived in circumstances of extreme poverty – homeless, hungry, illiterate, and in chronic ill health – human rights were under attack from all sides. For that reason, the CARICOM States had shown great interest in United Nations poverty eradication programmes, and had participated in such programmes at the national level. The eradication of poverty was as important as democratization in creating an enabling environment for the enjoyment of human rights.

14. **Mr. Sucharipa** (Austria) said that the protection of human rights was above all a matter for national Governments, and described the measures taken by the Government of Austria in preparation for the observance of Human Rights Year 1998. A working group was reviewing the status of international human rights instruments and Austria's own legislation and practices. In addition, it was verifying that Austria had complied with its reporting obligations. The National Committee for the Human Rights Year consisting of representatives of the Government, and of the various political parties, non-governmental organizations and the media, would soon hold its inaugural session. In addition to coordinating the various events in observance of the Year it would conduct wide consultations on human rights issues in Austrian society. Austrian society as a whole, along with non-governmental organizations, would participate actively in the observance of the Year. His Government had also made it a priority to introduce human rights education courses at all levels, both for children and adults. At the international level, it would continue to cooperate with all partners to ensure a successful Year and to ensure the effective implementation of all the provisions of the Vienna Declaration and Programme of Action.

15. **Mr. Simonović** (Croatia) said that respect for human rights was a prerequisite for national and international stability and security. The standards had been defined, and it was now simply a matter of implementing them. His

Government had continued to respect the principles of democracy and human rights even when it had been subjected to aggression and occupation of parts of its territory. Having successfully defended its sovereignty and territorial integrity, and with the reintegration of Eastern Slavonia nearing completion, it would now place even more emphasis on strengthening its commitment to the cause of human rights. It had ratified several instruments, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, thereby greatly strengthening the legal protection for the fundamental rights of Croatian citizens. Croatia had strongly favoured the establishment of the International Criminal Tribunal for the former Yugoslavia, and had been among the first countries to enact legislation institutionalizing its cooperation with the Tribunal. However, if justice was to be done and lasting peace and reconciliation ensured, all who had been indicted must be brought before the Tribunal; moreover, the number of indictments and individuals tried must accurately reflect the degree of responsibility of the parties to the conflict. Croatia was also the only country of the former Yugoslavia where significant numbers of displaced persons and refugees from minority groups were returning; it welcomed all those who had expressed a sincere desire to behave as loyal citizens of Croatia. It had thus adopted a programme intended to establish a climate of trust and security in areas previously affected by the war and to establish political and economic conditions favourable to the organized return of displaced persons.

16. Now that the war instigated by the aggressor was over the situation of human rights in Croatia had changed and Croatia had become a member of the Council of Europe. Of course, there were shortcomings, but it must be asked whether the situation was such, in comparison to other Member States, as to warrant continued consideration by the Third Committee. His Government was determined to pursue its cooperation with the United Nations, but instead of monitoring, it would appreciate technical assistance to enable it to strengthen the practical dimensions of its human rights activities and its support for the various newly established national institutions for the protection of human rights.

17. The situation of human rights in Bosnia and Herzegovina and in the Federal Republic of Yugoslavia was a matter of deep concern. The rights of Croats who had lived in Bosnia for centuries must be respected in order to preserve a multi-ethnic Bosnia and Herzegovina as well as peace and stability in the region. As for the Croats in Serbia, they continued to be harassed, which forced some to flee the country.

18. **Mr. Bergh** (South Africa), speaking on behalf of the States members of the Southern African Development Community (SADC), said that in 1992, the Community had adopted a treaty enshrining the fundamental principles of respect for human rights, democracy and the rule of law. The fiftieth anniversary of the Universal Declaration of Human Rights had particular significance for the peoples of the region. After living for years under the oppressive yoke of apartheid and colonialism, the peoples of southern Africa currently enjoyed political stability; that had enabled them to follow the path of growth and development and good governance, to spread a culture of human rights and to engage in the peaceful settlement of disputes. Fundamental rights, including the right to elect representatives to decision-making bodies, the right to freedom of association, the right to education and equal opportunity, were currently guaranteed for all citizens. SADC was resolved to oppose all forms of oppression. The United Nations machinery for the protection of human rights was the most potent weapon. However, in order to achieve tangible results, that machinery must urgently be overhauled. A structure must be established for the collection and regular evaluation of data on human rights situations in order to prevent any violations. In addition, all Member States must be encouraged to participate fully in the activities of the Office of the High Commissioner for Human Rights, and the latter, for its part, must respect gender balance and equitable geographical distribution. A culture of respect for human rights must be promoted in all areas. Only a depoliticized, proactive and preventive mechanism could guarantee to all individuals equal enjoyment of fundamental rights. The right to development, a basic aspiration of the countries of the subregion, which were still at a low level of development, was a central element. Empowerment of women and their full participation as equal partners in all spheres of society, including the decision-making process, was essential for development. Violence against women constituted an infringement of their fundamental rights and must not be tolerated.

19. **Mr. Dimitrov** (Bulgaria) said that his country was committed to improving the human rights situation in south-eastern Europe as an indispensable condition for enhancing regional security, stability and cooperation. The Government of Bulgaria had taken steps to ensure the rule of law, political pluralism and respect for human rights.

20. The situation of the Bulgarian minority in Serbia was of particular concern. His Government had been attempting to resolve the problems in a bilateral framework; in 1996 it had concluded an intergovernmental cooperation programme with the Yugoslav Government in the areas of culture,

science and education. However, the Bulgarian minority had not yet benefited from the bilingual education offered to other minorities in Serbia. Portrayed in textbooks as one of Serbia's "eternal foes", that minority was also deprived of the right to affirm its cultural identity in various other ways. It was essential that the Bulgarians living in Yugoslavia should enjoy their constitutional rights to free expression of their ethnic and cultural identity, free access to information and education in their mother tongue on an equal basis with other national minorities in the country. The complaints of abuse were serious enough to encourage the Special Rapporteur of the Commission on Human Rights to investigate the matter. It was to be hoped that the Yugoslav authorities would allow the Special Rapporteur free access to all regions of Serbia inhabited by the Bulgarian minority in order to investigate the situation. Moreover, the effective functioning of the office of the Special Rapporteur in Belgrade was indispensable for the free flow of impartial and objective information.

21. **Mr. Chirinciuc** (Republic of Moldova) said that the Republic of Moldova, which had firmly committed itself to democracy and the rule of law, attached the highest importance to the defence of human rights. Accordingly, its new Constitution guaranteed all the civil, political, economic, social and cultural rights enshrined in international instruments, including permitting minorities to affirm their own identities. Since the proclamation of the State's independence, free and fair elections had been held. Despite economic difficulties, the Government was endeavouring to strengthen national institutions for the protection of human rights. Among other measures, it was currently arranging for the appointment of an Ombudsman and the establishment of a human rights centre. At the regional level, it had stepped up its cooperation with the Organization for Security and Cooperation in Europe (OSCE) and with the Council of Europe. Lastly, aware of the critical importance of human rights education, it encouraged the dissemination of information on fundamental rights and freedoms.

22. However, the separatist authorities which were in control of the eastern part of the country continued to violate the civil, political, economic, social and cultural rights of the Moldovan people. They had dismissed the lawful authorities, who were sometimes subjected to intimidation. In cooperation with OSCE and with the mediation of the Russian Federation and Ukraine, the Government was endeavouring to put an end to the conflict by peaceful means (it had only recently started a new round of negotiations), but each time its efforts had been opposed by the unlawful authorities.

23. **Mr. Drozd** (Belarus) observed that the international community was attempting at the United Nations to put in place mechanisms for protecting fundamental rights and freedoms. Nevertheless, the activities to mark the fiftieth anniversary of the Universal Declaration of Human Rights and the reform measures being implemented by the Organization offered a timely opportunity to evaluate those mechanisms and to make certain improvements in order to enhance their capacity to resolve problems. In particular, the decision to merge the services of the office of the High Commissioner for Human Rights and the Centre for Human Rights into a single entity would permit the Organization to better fulfil the expectations of Member States.

24. Since its independence, Belarus had affirmed its desire to contribute to peace between States and to defend the most important principles of democracy. In particular, it believed that human rights were universal, indivisible and interdependent. All States had a duty to protect them and to abide by the applicable international norms and conventions, as a large number of States had now done. It followed therefore that the bodies responsible for monitoring the implementation of such instruments must enjoy the full confidence of States. It should be noted, however, that the situation reports prepared by those bodies sometimes lacked objectivity, since all too often they were based on information communicated by non-governmental organizations or relayed by the media. Consequently, the bodies in question should rely more on the cooperation of Governments to familiarize themselves with the human rights situation in the countries concerned.

25. As a result of the referendum of 1996, the provisions of the Constitution of Belarus concerning the protection of fundamental rights and freedoms had been strengthened. That process should be continued. In addition, new provisions, which would serve as a basis for the country's development, had been adopted. Even though the transition of the former Soviet-bloc countries to democracy created certain difficulties and was sometimes accompanied by isolated instances of human rights violations, it must be emphasized that, in the case of Belarus, such incidents were in no way the result of a deliberate policy on the part of the authorities, which fully intended to preserve the rule of law.

26. Belarus reaffirmed its intention, as a European country, to cooperate with the countries of Europe, with which it had historic ties, and with the principal European institutions, with a view to its full integration into the life of the region. It had created the conditions that were necessary to achieve that objective: economic and social stability, freedom of worship, freedom of the press and the absence of any repression of opposition parties. Belarus had also received

numerous representatives of international organizations, which was evidence of its readiness to participate in exchanges of views on any issue of interest to the international community. No country, in Europe or elsewhere, could claim to be free of all problems in the field of human rights. The Belarusian Government was firmly opposed to any politicization of the human rights situation and to the positions adopted by certain European regional organizations on that subject, which were obstacles to the country's development.

27. The Government of Belarus was aware that States had the primary responsibility for ensuring through concrete measures that human rights were protected and it had taken a number of steps to that end. As part of the preparations for the fiftieth anniversary of the Universal Declaration of Human Rights, it had established a national committee to draw up a programme of activities, which would consist mainly in the dissemination of information concerning the protection of human rights and related mechanisms. All secondary schools and the majority of institutions of higher learning had introduced courses on human rights into their curricula. A chair for the teaching of human rights had been established in two of the country's universities. The Government was in fact convinced that education in the field of human rights was essential, insofar as it contributed to a pattern of development that respected both the dignity of the human person and the particular needs, *inter alia*, of vulnerable groups.

28. Belarus was preparing to implement a long-term UNDP programme aimed at the strengthening of democracy and the protection of human rights, the latter mainly through improvements to the judicial system. It had begun to prepare draft legislation on the appointment of a human rights ombudsman, which would be presented to Parliament after it had been reviewed by international experts. Another draft law to give citizens the possibility of choosing between military and civilian service was also being elaborated. Belarus was also considering abolishing the death penalty and placing the prison administration under the responsibility of the Ministry of Justice rather than the Ministry of the Interior, in accordance with the principles of international law. It recognized, however, that it would have to convince persons with responsibilities in the field of human rights to renounce deeply held notions and to discontinue practices inherited from the Soviet era. Lastly, he wished to reaffirm his Government's general willingness to cooperate fully with the international community for the protection and promotion of human rights.

29. *Mr. Wissa (Egypt), Vice-Chairman, took the Chair.*

30. **Ms. Di Felice** (Venezuela) stressed that the free exercise of fundamental rights in democratic regimes was nevertheless constrained by limitations on the action of Governments. The challenge was therefore to improve the functioning of democracy, beginning with a recognition of its weaknesses and thus of the need for institutional and legal reforms. Governments must not only ensure respect for human rights, but must also help civil society to fight alongside the State for the genuine defence of those rights. Through more active participation, the claims of civil society would be better heard and the legitimacy of the State's decisions and measures would be strengthened.

31. The Venezuelan Government had declared 1997 to be the Year of Human Rights and had adopted a series of measures to strengthen the rule of law and to promote respect for the fundamental freedoms of each individual. Justice was foremost among the concerns of the country. The many shortcomings of the judicial system made the need for reform urgent and that would require the support of multilateral financial agencies. In order to organize the action of the State and the participation of citizens in the process, a "social alliance for justice" had been formed. The mechanism was comprised of a number of organizations whose goals included ensuring the continuity, transparency and proper implementation of reform measures and sensitizing public opinion to the urgent need for reform.

32. It was against that background that the first discussions had recently taken place between the Government and non-governmental organizations active in the field of human rights. Following those discussions, a series of proposals had been made concerning, *inter alia*, civil, political, economic and social rights. The Government had committed itself to following up the proposals, whose implementation would be the object of ongoing evaluation. In addition, the Supreme Court had decided to repeal the law on vagrancy, which had been deemed to be contrary to the provisions of the Constitution and to the agreements to which the State was a party. Lastly, a resolution aimed at incorporating programmes for the promotion of human rights into educational curricula had just been adopted.

33. Reform of the United Nations must be carried out in consultation with Member States. Account should be taken of the role which the Organization was required to play on behalf of future generations and a sense of collective responsibility must be displayed. The challenge facing the international community was to develop a culture of human rights, which promoted justice and respect for the human person.

34. **Ms. Wensley** (Australia) said that the question of human rights was an integral component of her country's relations with the rest of the world. Rather than merely criticize, Australia preferred to offer assistance in building institutions for the protection of human rights, through, *inter alia*, its development cooperation programme and its participation in initiatives to strengthen regional and international institutions and to ensure more effective implementation of the human rights instruments.

35. The number of independent national institutions for the promotion of human rights had soared in recent years. By working with Governments and civil society, such institutions played a key role in monitoring the performance of Governments. Australia gave special encouragement to the establishment of those institutions. The adoption by consensus of resolution 1997/40 of the Commission on Human Rights on that question was a very welcome development. However, despite substantial progress, the situation remained distressing. Improved observance of human rights was the responsibility of every country and called for effective national action. International cooperation – with monitoring mechanisms where necessary – was nonetheless vital to encouraging States to comply fully with their obligations.

36. Among the countries which must remain a concern of the international community were the former Yugoslavia, where the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law had successfully indicted and brought to trial prominent war criminals, and Rwanda, where it was imperative that the International Tribunal overcome administrative difficulties and bring the perpetrators of genocide to justice. Her delegation was gratified to find that the Democratic Republic of the Congo had authorized United Nations investigators to begin their work. It was deeply concerned by the repeated massacres in Algeria; a solution to the alarming situation there must urgently be found. The case of Afghanistan continued to cause grave concern; her delegation urged all factions to abide by the Charter of the United Nations and the various relevant Conventions, particularly the Convention on the Rights of the Child, to which Afghanistan was a party. Equally worrying was the situation in Iran, particularly that of the Baha'i minority. Her delegation trusted that the new head of State would keep his promises concerning social policy and personal freedoms. It was encouraging to note that, in Myanmar, the State Law and Order Restoration Council (SLORC), which had been replaced on 15 November by the State Peace and Development Council (SPADC), had authorized the National League for Democracy to hold a congress after a seven-year ban, and had agreed to meet its leaders. It should not be forgotten, however, that such concessions were being made against a background of repression against the League over the past year, and it was particularly disappointing that Daw Aung San Suu Kyi had been prevented from participating in a number of the League's meetings.

37. Cambodia was in the grip of violence. The Government of Cambodia must investigate human rights violations and bring to justice those allegedly responsible. The promotion of human rights, on the one hand, and the holding of free, fair and credible elections on the other, were critical to the establishment of political stability in that country. Accordingly, her delegation welcomed the Government's commitment to the holding of elections in 1998 and providing the guarantees necessary to ensure that political exiles could participate. Australia would contribute up to A$ 100,000 to the activities organized by the United Nations with a view to monitoring the safe return of the exiles. Her Government invited all Cambodian politicians currently abroad to take into consideration the Cambodian Government's commitment and the offer of assistance by the United Nations. Her delegation expected the Government of Cambodia to honour its other commitments expeditiously with a view to ensuring the smooth functioning of the elections (in particular, the passage of an electoral law and the establishment of a genuinely independent electoral commission).

38. Democratization and the reforms launched in China were all positive signs. Her delegation was pleased that China had signed the International Covenant on Economic, Social and Cultural Rights and encouraged it to ratify the International Covenant on Civil and Political Rights at the earliest possible date. It also welcomed the release of a dissident who had long been imprisoned and the opening of a formal and regular dialogue on human rights. Her delegation welcomed with satisfaction the decision by the Government of Papua New Guinea to establish a human rights commission with the assistance of the United Nations Centre for Human Rights. It remained concerned that no satisfactory action had been taken on the report of the inquiry into the assassination, in 1996, of the premier of the Transitional Government of Bougainville. However, that conflict seemed to be headed towards a peaceful resolution. Her delegation strongly supported the peace process and urged the parties to continue their reconciliation efforts.

39. **Mr. Amyari** (Islamic Republic of Iran) said that arrangements and institutions or instruments established to respond to regional demands played a key role in the protection of human rights, because they were capable of

encompassing both local particularities and international standards. The countries of the Asia-Pacific region, which possessed many such particularities, were preparing their sixth workshop on regional arrangements at which they would consider a regional arrangement to ensure observance of fundamental human rights. The Islamic Republic of Iran, which would host the workshop in Tehran, had actively participated in previous workshops and intended to strengthen past achievements and expedite the attainment of the established objectives. It was convinced that simultaneous efforts must be made to achieve development, democracy and the protection of human rights, as all those goals were interdependent and basic rights were indivisible and should all be equally valued. In particular, the international community had, on many occasions, reaffirmed that the right to development was a universal and inalienable right and an integral part of fundamental human rights. It was regrettable that certain countries acknowledged that fact only when it served their purposes. The regional human rights arrangements must take into account the situation of each region. On the threshold of a new millennium, everyone must work individually and collectively, at all levels, to pave the way for a better future for present and future generations. Those arrangements would undoubtedly constitute an essential means of doing so.

40. **Mr. Powles** (New Zealand) said that all Governments, without exception, were accountable to the international community for upholding internationally accepted standards. It was important, however, to recognize progress as well as shortcomings.

41. Thus, China had recently signed the International Covenant on Economic, Social and Cultural Rights. It must ratify the Covenant at the earliest possible date and also accede to the covenant protecting civil and political rights. The Government of Nigeria had announced its intention to respect international instruments and establish the rule of law. It must now honour its commitments. It must cooperate fully with the Special Rapporteur of the Commission on Human Rights. The Government of Burundi must cooperate fully with the Special Rapporteur who was observing the disturbing human rights situation there and implement his recommendations. His delegation was pleased that the Government of the Democratic Republic of the Congo had agreed to allow the team established to investigate human rights violations committed in that country since 1993 to do its work. In Rwanda, the massacres of 1994 had had a serious aftermath and serious abuses were apparently continuing to be committed, such as, extrajudicial executions and detention under deplorable conditions. Still, it was encouraging that the Government of Rwanda was willing to attempt to remedy certain violations. Aware of the serious humanitarian crisis affecting the Great Lakes Region of Africa, his Government had contributed $3 million in the past three years, in addition to its annual core grants of $1,750,000 to the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC).

42. Since the Iraqi Government had accepted the food-for-oil agreement, access to food had improved for Iraqi citizens, as had their health. The Government should comply fully with all relevant Security Council resolutions. He remained gravely concerned, however, that fundamental human rights violations were continuing. He was encouraged by the progress being made in certain human rights sectors in the Islamic Republic of Iran and by that country's requests to the international community for cooperation and technical assistance. Unfortunately, that progress was offset by ongoing shortcomings in relation to freedom of expression and the rights of religious minorities. Concerning Afghanistan, he was particularly troubled by human rights violations in the areas controlled by the Taliban movement. All parties should respect the fundamental rights and dignity of Afghans, especially women. The Government of Myanmar was showing more openness in its dealings with other countries of the region, but it needed to engage in genuine dialogue with the opposition, that being a prerequisite for national reconciliation, respect for human rights and the country's economic development. The timetable for completing a new constitution and the holding of free elections must be accelerated. In Cambodia, all citizens should refrain from violence and the Government should set as a high priority the holding of free, fair and credible elections. Violence for political ends was unjustified, and all parties involved in the conflict in East Timor should exercise restraint. It was to be hoped that the new procedures for tripartite talks and the work of the United Nations would facilitate early progress. While the human rights situation in the former Yugoslavia had improved somewhat, it remained far from satisfactory.

43. In his statement to the current session of the General Assembly, Papua New Guinea's Minister for Foreign Affairs and Trade had recognized the positive role played by New Zealand in connection with the island of Bougainville. New Zealand would accept Papua New Guinea's invitation to assemble and lead a neutral regional peacekeeping group to monitor the terms of the truce agreed earlier in 1997. It also welcomed the steps being taken by the Papua New Guinea Government with a view to the establishment of a national human rights commission.

44. New Zealand attached high priority to the strengthening of regional arrangements for the promotion of human rights particularly in the Asia-Pacific region. It therefore welcomed the establishment, strengthening and networking of national institutions which had occurred over the past year. It was supporting an increasing range of good governance and human rights capacity-building projects that would encourage an approach to human rights issues which involved less discord and philosophical agreement and more dialogue, shared commitments and practical cooperation.

45. **Ms. Laizane** (Latvia) recalled that Latvia had been a sponsor of General Assembly resolution 50/176, on national institutions for the protection and promotion of human rights, and noted with satisfaction that the Office of the United Nations High Commissioner for Human Rights had responded to requests made by the Commission on Human Rights and the General Assembly for the provision of assistance for the establishment and strengthening of national human rights institutions. Latvia also endorsed the High Commissioner's intention to accord high priority to that issue; her Special Adviser on National Institutions was already engaged in tireless efforts in that respect.

46. Having enjoyed the benefits of an independent and effective national human rights institution, Latvia had contributed in 1997 to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights. More and more countries were establishing such institutions, which they could adapt to their needs. Latvia was one of the first countries in Eastern Europe to have done so in line with the Vienna Declaration and the Principles relating to the status of national institutions for the promotion and protection of human rights, set out in the annex to General Assembly resolution 48/134. A human rights office had been created in 1995 with a mandate to raise awareness of human rights, investigate individual complaints and provide advice to the Government and parliament on the means of implementing international instruments. The Office, which focused on protecting the rights of vulnerable groups, had been subject to criticism after providing its independent opinion on a number of politically sensitive issues. As a result, however, it had also proved its independent status and gained widespread support for its work among individuals, non-governmental organizations and the media. It was recognized by equivalent international and national institutions and had been regularly invited to describe and explain the Latvian model to other countries.

47. In creating that institution, Latvia had benefited from close cooperation with the United Nations Development Programme (UNDP), the United Nations Centre for Human Rights, the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE), as well as from assistance from the Governments of Finland, the Netherlands and Sweden, which had been provided through a UNDP multi-donor project.

48. Any State that wished to establish a national human rights institution had to demonstrate genuine commitment to the protection of human rights, as well as strong respect for the aforementioned Principles relating to the status of such institutions. It also had to engage in close cooperation with the international community.

49. It was regrettable that one particular State had attempted to exploit the United Nations machinery for dubious political gains by wrongly accusing Latvia and other States of human rights violations, thereby undermining its effectiveness and credibility.

50. **Mr. Sirgiwa** (Libyan Arab Jamahiriya) welcomed the considerable efforts made by the international community within the framework of the United Nations to protect human rights. Flagrant violations of those rights, however, persisted in various regions of the world: entire peoples were still denied the right to self-determination, particularly the Palestinian people, which was struggling to gain independence and preserve its national identity. Situations had also been created by the exodus of refugees fleeing armed conflicts provoked by national or religious fanaticism, poverty and famine. The international community should address the root causes of such problems and find just solutions that would make it possible to link social development and economic development. Economic, social and cultural rights could not be separated from civil and political rights, and the right to development was the very foundation of all rights. In order to live in dignity, human beings should not only participate in those decisions which concerned them, but should also be freed from poverty, famine, disease and underdevelopment. That was an issue which the international community had too long neglected.

51. In discussing human rights, agreement had first to be reached on countries and norms. Certain countries were highly selective in the defence of fundamental rights, attempting to tarnish the reputation of those who did not share their views while maintaining silence about violations, however massive, committed by countries which shared their interests. Moreover, at a time when efforts were being made to create an international climate conducive to respect for human rights, certain United Nations bodies which had been infiltrated by undemocratic elements adopted resolutions that flagrantly violated the human rights of peoples and individuals, such as the right to development, the right to freedom of movement, the right to eat one's fill and obtain

health care. If the United Nations wished to regain credibility in its defence of human rights, it must promote democracy in all of its bodies and revise its Charter so that all Member States had the same rights and obligations, which would also permit the full implementation of international conventions. The sanctions imposed on the Libyan Arab Jamahiriya for over five years were endangering the lives of those in the most vulnerable social groups, such as women, children, the disabled and the elderly. Those sanctions thus constituted a violation of the fundamental rights enshrined in the Charter of the United Nations and international instruments.

52. His delegation hoped that, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights in 1998, the international community would take stock of the difficulties to be overcome with a view to achieving the stated objectives of the Vienna Declaration and Programme of Action and, in so doing, would reaffirm its readiness to protect and promote human rights.

53. **Mr. Kanavin** (Norway) said that his Government had recently appointed a Minister for Human Rights. The fiftieth anniversary of the Universal Declaration of Human Rights in 1998 should encourage the international community to adopt a declaration on the defenders of those rights, to achieve progress in drafting a declaration on the rights of indigenous peoples, to establish a permanent forum within the United Nations where those peoples, which were still largely unrepresented, could have a voice, to work on the two planned additional protocols to the Convention on the Rights of the Child, and to emphasize respect for minimum humanitarian standards. Attention should also be given to the establishment of an international criminal court. The existence of the tribunals for the former Yugoslavia and Rwanda had drawn attention to the fact that justice was of primordial importance in building lasting peace. His Government was committed to contributing to all the efforts being undertaken in the judicial field.

54. His Government welcomed the priority given to fundamental rights in the activities of every part of the United Nations system. In order to act effectively, the Office of the United Nations High Commissioner for Human Rights must be provided with sufficient resources. In particular, her staff in Geneva should be built up, highly efficient liaison with United Nations Headquarters must be achieved at a higher level than that currently existing, and field operations should be funded from the regular budget, which would make their financing more secure. Greater resources were also needed to finance the work of the special rapporteurs of the Commission on Human Rights, particularly the thematic rapporteurs.

55. Violence perpetrated by fundamentalists in Algeria must be condemned unconditionally; reports of passivity on the part of the security forces on several occasions gave cause for concern. It was the responsibility of the Government to protect the civilian population from terrorist attacks, to intensify dialogue with all those who repudiated violence, and to do its utmost to follow up its political and economic reform plans. The Nigerian authorities should speed up the transition to democracy and release all political prisoners. There had been very little progress in Burundi; in Rwanda, the situation had deteriorated in certain areas, where armed groups had carried out violent attacks against unarmed civilians. The Governments of those two countries should do their utmost to promote peace and reconciliation, and to ensure the safety of all population groups. The situation in other areas of Central Africa was also worrying. He therefore welcomed the acceptance by the Government of the Democratic Republic of the Congo of a visit by the team responsible for investigating human rights violations committed in that country since 1993; that team should be enabled to complete its mandate freely.

56. It was imperative that the Government of Myanmar should open a dialogue with opposition leaders and permit them to travel and communicate freely; it should also accelerate the transition to democracy. In China, the Government was introducing legal reforms and engaging in human rights dialogues with other countries, but his delegation was still deeply concerned about the human rights situation there, particularly the harsh treatment of political and other prisoners, the extensive use of the death penalty and the repressive policy applied in Tibet. In the Islamic Republic of Iran, the Government seemed to be moving towards reforms, but religious minorities were still persecuted and there was still a fatwa against the author Salman Rushdie. In Afghanistan, it was particularly unacceptable that women were excluded from all aspects of economic, social and political life.

57. Serious human rights violations continued to occur in the territory of the former Yugoslavia. Respect for human rights was essential for building a lasting peace in the region. It was imperative that persons indicted by the International Criminal Tribunal for the Former Yugoslavia should be brought to justice.

58. Although the use of the death penalty was on the increase in a number of countries, more than 100 States had taken steps to abolish it. It was to be hoped that that number would continue to increase.

59. **Ms. Rubin** (United States of America) recalled that the full enjoyment of fundamental rights and freedoms was a strong contributor to economic and social development. She therefore hoped that the discussions which had taken place between the World Bank and the Office of the United Nations High Commissioner for Human Rights would lead to increased Bank funding for support projects in areas such as the administration of justice, the rule of law and for national institutions. She invited Governments to show their support for those programs by making contributions to the Voluntary Fund for Technical Cooperation in the Field of Human Rights. Another worthy cause was the United Nations Voluntary Fund for Victims of Torture, to which the United States had recently contributed an additional $1.5 million.

60. The special rapporteurs and working groups of the Commission on Human Rights were one of the best tools for the protection of fundamental rights. The United States of America extended full cooperation to those bodies, which were free to travel to the United States to monitor the situation. The Office of the High Commissioner should, however, strengthen the work of the rapporteurs by tying technical cooperation projects more closely to their recommendations.

61. The United Nations was increasingly involved in field operations to monitor the situation of human rights. Although such operations helped to resolve conflicts, not all Governments were willing to work with the Organization. In such cases, the United Nations must speak up and take appropriate measures; it was the Organization's duty to speak for all those whose human rights were denied. In 1998 the international community would celebrate the fiftieth anniversary of the Universal Declaration of Human Rights, but the goals set in 1948 were far from having been achieved. Millions of people still lacked the most basic rights and freedoms, and many Governments still routinely avoided fulfilling their obligations. Her delegation would be taking those Governments to task again when the Commission on Human Rights held its session at Geneva in March 1998. As the World Conference on Human Rights had reaffirmed in Vienna in 1993, it was the duty of all States, regardless of their political, economic and cultural systems, to protect all fundamental rights and freedoms. There could therefore be no question as to the right of the Third Committee or of the Commission on Human Rights to shine the spotlight on the human rights situation in any country of the world.

The meeting rose at 1 p.m.